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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/868,195

09/14/2001

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GJE-71

7256

23557 7590 02/09/2007  
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EXAMINER

DUFFY, PATRICIA ANN

ART UNIT

PAPER NUMBER

1645

MAIL DATE

DELIVERY MODE

02/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Response to Rule 312 Communication</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/868,195	HUGHES ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Patricia A. Duffy	1645	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

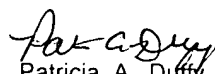
1. ☒ The amendment filed on 22 January 2007 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

*Applicants insertion an statement of incorporation by reference raises the issue of new matter. Such a statement was not included in the transmittal papers and as such would necessarily constitute new matter, as this application was filed before the rule change. Further, the amendment to the first line of the specification is not necessary as this application was filed pursuant to 35 USC 371.*

  
 Patricia A. Duffy  
 Primary Examiner  
 Art Unit: 1645